of the murder itself, the fifteen wounds of fiendish bate and malice and revenge, her conduct next merning. her evidence before the Coroner's jury centradicted in the most vital part, her demennor in the afternoon, her reinsal- for we shall make that a point—afterward to testify in this thing while she had an opportunity, and while peradventure she might turn the tide that was overwhelming her in the popular estimation. And then if it come to appear, as I think it must, that that deed was done by some one in that house, we ask who did it, who had the motive! was it she who hateel lam, who scorned him? And he had scorned her, and had each her off, and was about to cast her homeless into the world. Was it she, who had threatened him and had obtsined, by threats and menaces, the signing of papers, which, as I said before, the directs of few men would accomplish! Was it she who had the dramatics in the morning, who had such a tender wish for counsel in the afternoon, when she was made a witness? Was it she who was into mock heroics over his body! I shall greatly mistake your comprehension if you do not arrive to the conclusion that it was done by some person in the house, and by her who had a motive, who expressed the motive by threats upon the very eve of its consummation—who had the ability to do it and to conceal it; and, having spread these facts before you, we shall call upon our learned friends upon the other side to say, what of this motive!—who has a greater! What of this hatred and revenge and malice! Where is there another who had greater ability to do and to conceal? How could entrance have been obtained to that house! And if they shall fail in that, we shall claim hereafter, when the evidence which I have outlined shall be fitted together, to say that woman whether she he called Emma Augusta Canningham or Emma Augusta Burdell, whether she be the mistress or the wife, whether she have the simulated or the real marriage, that she woman though she is—was guilty of the crime.

TESTIMONY OF DR. FRANCIS. of the murder itself, the fifteen wounds of fiendish bate

woman though she is—was guilty of the crime.

woman though she is—was guilty of the crime.

TESTIMONY OF DR. FRANCIS.

Dr. John W. Francis examined by Mr. Hall.
Q. It is necessary to spread upon the record your name, age, desictore, and how long you have been in practice. A. I am selected and the state of the product of the selection of the sel

Wounds.

Q In your medical judgment, which one must have been the first—the one in the carotid artery, or the one in the heart?

Mr. Dean interposed the objection that a medical man could only give his opinion on questions of skill, and that this involved a theory of the murder. The case, he said, had been decided in The People agt.

Mr. Hall contended that however that might be, he could ask the question, and it was allowed.

Witness—I think it is impossible to decide which of those wounds were first inflicted.

Q. If a wound in the heart had been first given, would a spout have come from the neek! A. Yes, Sir, because the heart might act for some time; I have known a person to travel about the hears while the heart was perforated.

Q. In your medical judgment how soon would be die after the wound in the carotid artery! A. Probably 4 or 5 minutes.

Q. How soon after the wounds in the heart would be die after the wound in the wound in the carotid artery! A. Probably 4 or 5 minutes.

Q. How soon after the wounds in the heart would be died. A. He might have died in some two or three minutes; be might have lived much longer.

Mr. Clinton—Poole lived 9 days with a ball in his heart.

Dr. Francis—All the wounds seemed to have been inflicted by the same instrument, some 5 or 1 of an inch in breadth, and cight or nine inches deep.

Q. In your judgment the wounds produced the death of the deceased; that is the formal legal question? A. Most assuredly; there was no apoplexy in the case.

suredly; there was no apoplexy in the case.

Cross-examined by Mr. Dgan.

Q. Can you fix the precise hour in the morning when you arrived at No. 31 Bond street? A. Fifteen minutes past 10; it was not a police officer who was sent for me; I found a police officer there; the deceased had on a black cravat.

Q. Are you able to fix the precise place on the neck where this red spot was visible? A. It went across the "Adam's seed."

Q. Do you know what the length of his neck was, from the

apple. Q. Do you know what the length of his neck was, from the point where it was visible on one side to the point where it he came invisible on the other? A. It struck us as being about six inches and a little over, for it was a very large neck, and was very much distended under the circumstances; and the instrument, probably, was a little down.

Q. Was there more of it visible on one side than on the other of the wound? A. It would rather produce a sense of suffocation, than make a mark by the lateral portions of it.

Q. When death has been occasioned by strangulation, what is the effect upon the brain—can it be determined? A. Yes, there have been numbers of instances determined; there is generally a larger quantity of blood in the ventricles.

Q. Would dissection determine accurately? A. It would help to determine it.

Q. You made no such examination of the brain? A. No.

Q. The wound on the left side of the neck—where precisely did that enter, and in what particular direction? A. The carotid artery and jungits rein were all cut.

Q. Was the mastoid process itself cut up by this wound? A. It hink it was not fouched.

Q. Is it pessible to tell the direction of a wound without a dissection of A. A dissection would help rather better, but the probe will be a very good guide.

Q. As a professor of rendical jurisprudence, I ask you, in the case of death by violence if a dissection of the wounds is not absolutely necessary for the purposes of justice? A. To give a mathematical and precise account, that would be beat.

Q. Will the probe tell the depth of a wound exactly? A. If the probe was long concupit.

Q. Do not the parts of the wound close over, so as to close it up, so that the probe would not go to the bottom? A. Cosquiation might prevent the complete entrance of the probe.

Q. From the appearance of this man did you judge him to be

Q. Do not the parts of the wound close ever, so as to close it up, so that the probe would not go to the bottom? A. Cosquiation might prevent the complete entrance of the probe.

Q. From the appearance of this man did you judge him to be strong and muscular? A. Very firm and hardy; a strong muscular development.

Q. I want to call your attention to the wound on the left arm? A. It went inward and partly upward; it would be called a flesh wound; it went down into no extraordinary fatal part; it doubties out vessels, but it went into a mass of flesh.

Q. Did it go beyond the rib up? A. Yes, somewhat.

Q. Was there not a wound in the left arm that went through the arm? A. It went right down the arm; neither of these wounds went fareagh the arm; they were each about five inches in length.

inches in length.

Q. They went through the muscles? A. Yes, into the sub-O. They went through the muscles? A. Yes, into the substance of the arm.

Q. Did they cut so that the dagger went through? A. No; they made a blind extremity, they did not go through.

Q. Did they cut so that the dagger went through? A. No; they made a blind extremity, they did not go through.

Q. Is it possible to tell whether the Instrument that made these wounds was sharp on both sides or not? A. I think that could not be determined by any man.

Q. Whal was the appearance of the cuts? A. It seemed as though they were cut with a two-edged instrument.

Q. Would dissection show mecisely? A. It would show whether there was a sharp edge or not.

Q. Would dissection show whether the wound had been caused by a carring-knife or a dagger? Suppose the would had been inflicted by a dagger of this obstacter, jexhibiting a short, stout instrument, double-edged). A. That would not have been long enough.

Q. But suppose it had been long enough, is that the kind of an instrument that would have caused the wounds? A. I think

one enough.

Q. But suppose it had been long enough, is that the kind of an instrument that would have caused the wounds? A. I think it must have been a good deal such an instrument—that it was a double-edged, charp, instrument, not quite so broad as that, but about elght inches long.

Q. Son say that in looking upon the man you suppose that he might have died of a convulsion of some kind? A. I have seen countenances like his, of persons that have died of convolsions, but it would be a wrong philosophy to suppose that he died of convulsions. The evidences of stranguistion were wonderfully strong; from the projecting mouth, protruding to ague, and distended, larre even.

Q. This wound in the left side of the neck, did it come through the neck? A. It went nearly all through.

Q. Was the meck broken or dislocated? A. We did not dissect for that purpose.

Q. Did you try the neck to see? A. I moved the neck several times, but did not perceive any.

Q. This wound in the clavicle, in the right shoulder: Did it extend down into the lungs? A. It extended into the thorax; and as no examination was made, we infer that it went into the cavity of the thorax.

Q. Would it require a good deal of force to have made that wound? A. No; not a great deal.

Q. What did that younds have controlled. The common integument that are studer there.

Q. What was eat by dissection? A. The common integument that are studer there.

Q. What was eat by dissection? A. We did not dissect it; we only probed the vounds to see their extent.

D. Fangies remarked that the wound that might have been done with some violence was the wound upon the anterior part of the trunk, between the fourth and fifth ribs, which cut the edges of the rest.

Q. Before getting to the body, was not the lappel of the coat sad size of the rest cut? A. Yes, undoubled?

Before gatting to the body, was not the lappel of the coat dee of the rest cut? A. Yes, undoubtedly.

with blood that it looked like an old piece of six soaked is water.

Q Did you notice how far the blood ran down upon his cictime? A haside the cictiming and between the cictimin and his body if was all pretty theroughly citized, all the way down ground the hips and lone, the watery part of the blood made it all adhere, like clothing attached to the body by give there was a great deal of blood down the legs toward the text.

Q. Did you notice the condition of his boots? A No. 1 did not.

Q. How many of the wounds would not essently have been fatal? A The wound on the neck, the wound under the manded horns, the wound on the neck, the wound under the sets to tree the fourth and fifth his the wound an inch and a half or two inches lower down, the wound under the left arm, the wound in the edge of the right clavier—all those might have been fatal the abdomical wounds also might have been fatal but it is probate that he would have curvived these.

Q. Did those wounds indicate that the person who struck Q. Did those within the would have curvived these.

Q. Did those wounds indicate that the person who struck them knew where to strike, in order to effect the death of the party? A Some of them, I think, were inflicted with some party? A Some of them, I think, were inflicted with some intitle anatomical science; I think that others were rapidly in direct without care or affection.

Q. They were wounds of a person competent to give text mony as an expert? A Yes.

Q. Did you make a remark that day, in the room and before any questions were asked, when looking at the wounds, that they had been given with singular as currey, or something to that they had been given with singular as currey, or something to that they had been given with singular as currey, or something to that they had been given with singular as currey, or something to that they had been given with singular as currey, or something to that they had been given with singular as currey, or something to that effect? We'll, I did make a partial remark of that kin

these wounds, several of them, looked as if they had been given by a person having a considerable knowledge of the human structure.

Another Juror—I would like to have your opinion in reference to the wound under the arm; can you tell me how the party that inflicted the wound must have stood with reference to Dr. Burdell—could be have stood behind or before? A. It would be difficult to determine; the arm must have been raised, and the person must have been a good deal on the side, inasmuch as the wound inflicted on the arm ran forward; it looked as though the person had stood a little backward, rather than in front.

A Juror—You refer to the wound struck on the left arm, that ran up; can you account in what manner that wound was made, in reference to the locality of the body? A. The person might have been rather in front.

A Juror—Could the stab on the left arm have been made by a person standing behind? A. Standing behind, and on the outside of the upper portion of the arm.

A Juror—Can you judge whether they were inflicted by a right-handed or left handed person? A. Well, that is a subject which I have thought of without ever asking any questions, for I have asked nebody a question since! I was extending the control of the arm of the copinion that the blows might have been inflicted by a left hand d person, but I had the same difficulties which others have had a closer examination; but I incline a little to the opinion that the blows might have been inflicted by a left hand d person, but I had the same difficulties which others have had a closer examination; but I incline a little to the opinion that the blows might have been inflicted by a left hand de been struck it would have been inflicted by the blow had been struck it will have been in filtered if the blow bad been struck it is this way? For instance: [He here took out a dagger and illustrated his idea.]

much force was used around that ligatore! A. It was a little dark and dessicated, but there was no suffusion of blood around it.

The examination of Dr. Francis was here concluded. District-Attorney Hall—I may mention that there was a full certificate in regard to the dissection and the result of the prest mortem, which hereafter my learned friends and myself will submit and agree about. I have spoken with Mr. Clinton on the subject.

about. I have spoken with Mr. Clinton on the subject.

HANNAH THE COOK, ON THE STAND.

After the testimony of D. Francis, the District Attorney called for Hannah the cook, who was accordingly brought into Court and duly sworn. She is a genuine looking Irish girl, of the most intense kind. She manifested great trepidation on going on the stand, and some minutes chapsed before she could compose herself sufficiently to give her testimony. By the gallantry of the Judge a glass of water was offered to her, and her equinamity was restored.

The examination was opened by Mr. Hall.
Q. How long have you lived in the house No. 31 Bond street?
A. Going on two years.
Q. When did you first know Dr. Burdell? A. Not till twent to the house.
Q. Who kept the house when you went there? A. Mrs. Jones.
Q. When did she stop keeping the house! A. Six days be-

Q. When did she stop keeping the house? A. Six days before May last.
Q. When did you first know Mrs. Cunningham? A. She was beerding in the house when I went there.
Q. When did she begin to occupy the house? A. When Mrs. Jones left the house.
Q. What rooms did Mrs. Cunningham occupy when she bearded with Mrs. Jones? A. She occupied the large room occasionally to sit in, and the bedroom to the large room focasionally to sit in, and the bedroom the second floor with the Dector's.
Judge—Bid Dr. Burdell occupy the room on the second floor himself? A. He had that for a bedroom.
Q. Which was Mrs. Jones's room? A. In the garret.
Q. How long did the Dector and Mrs. Cunningham occupy the second floor? A. I can't say how long: I don't know.
Q. The first Thanksgiving Day after you went into the house was Mrs. Cunningham sick?
Mr Clinton—I object to that question.
[The objection was not sustained by the Court. The Court was requested to note the exception.]
Mr. Hall—Did you have a conversation with Mrs. Cunningham at that time?
Mr Clinton—I again object. I submit that that question is irrelevant.
[The Court overruled the objection and directed the witness to answer.]
Witness—I hadn't a conversation at that time with Mrs. Cunningham or Dr. Burdell.
Q. When she was sick did she speak of Dr. Burdell?
Q. When she was sick did she speak of Dr. Burdell?

Mr. Clinton—I object to that, as leading in form and insamis-sible in principle.

[The objection was sagin overruled 1]
A. When the was sick, and Dr. Burdell had gone to Brook-lyn for Mrs. Cumingham's daughter, she said, "Oh. Doctor! where are you?"

[The examination was here suspendeded by order of the Court for the midday recess from 1 to 2 o'clock. The Judge cantioned the Jury not to speak with seah other or with any other persons in reference to the matters having connection with the trial.] other persons in reference to the matters having connection with the trial.] Q. Did Mrs. Cunningham say anything to you as to what her

ouble was?
Mr. Clinton-I object to the question as grossly leading in

Q. Did Mrs. Cunningham sey anytamg to you as to what her trouble was?

Mr. Clinton—We had did she say in reference to Dr. Burdell I Mr. Clinton—We insist that when an objection is made, the witness shall wait till the question is disposed of.

Judge Davies—I the hardly worth while to repeat an objection when the Court has disposed of the principle.

Mr. Dean—I did not understand any ruling had been had by what the Court me and to say, that anything that was said asslong ago as 1850 could be put in as evidence in this case. We insist that any evidence that has ye given as to declarations at that time—conversations or even acts—are too remote to form the legitlants basis of any legis conclusion; more particularly when the parties, from the time of these alleged declarations, have lived together—have not only lived together, but have, as the evidence in this case will satisfy this Court, lived together in harmony, in peace; and we say that these declarations, whatever they may be, are too remote. No tamily would be safe from an unjust implication in a homelede that might be committed in the house they occupied, if the surreliable memories of denotes were to be taxed for evidence as to the relations of the parties as manifested by declarations of various kinds. If this testimony is sengilat to be introduced to prove a motive for the murder of Dr. Burdell, it is incompetent; and if for that purpose, does it follow, became Dr. Burdell may have committed an abortion upon the person of the defendant, that she, in turn, a year and a half afterward, committed any more and a half afterward. committed any more approached to the committed any abortion to the person of the plan of this procedule to the committed any more approached to the person of the plan of this procedule to the committed any more approached to the person of the plan of this procedule to the committed any more approached to the person of the plan of this procedule to the committed any more approached to the person of the plan of this procedule to the comm

established and general principle of law that, on a trial for one offense, testimony as to another offense of the same or similar character cannot be introduced.

The District Attorney stated that the testimony was not for the purpose of proving an abortion. He did not know that any had been produced upon this lady.

Mr. Dean-There never was; but this girl testified to something of the kind before the Coroner's Jury.

Mr. Hail meant to say in his opening that it was his purpose to prove the relation of these parties from the time of their communicing to live together down to the time of the murder; and it was for the Jury to say as to the value of that testimony.

Judge Davies so understood him to say, and ruled to admit the evidence so far as it affected any motive to commit the offense.

ffense.

Mr. Dean supposed that the defense would not be limited, hen, in showing any motive any other person had to commit

Mr. Dean supposed that the defense would not be limited, then, in showing any motive any other person had to commit the murder.

Q. What did Mrs. C. sav? A. She said, "O, my daughter, where are ve," that was when she was sick.

Q. Did she say anything size? A. No, Sir; I went off for a destor, and came back. Dr. Burdell was come home then, and strended to her himself.

Q. By Mr. Clinton—Were you present? A. No, Sir.
Mr. Clinton—I sak your Honor to rule out that answer.
Judge Davies—She has not assumed to say anything about matters when she was not present.

Witness—Excuse me, gentlemen, but I want to talk for my-self, Mr. Clinton.—She said that Dr. Burdell attended to her himself.

Mr. Clinton—I understood your Honor to rule that out.
Mr. Hall—Yes. Sir; we do not attach any importance to it.
Q. In speaking about her sickness, did size say anything about Dr. Burdell.

Mr. Clinton—I object to that, because twice answered.

Mr. Clinton-I object to that, because twice enswered already.

Q. Did Mrs. C. say anything as to the cause of her sickness?

A. No. Sir, she did not.

Mr. Clinton hoped that the District-Attorney would be held to the rules of evidence—especially in examining such a witness as the one upon the stand.

Judge Davies—I overrule that question.

dell's.

Q. Did the Doctor eat his meals in the hoese? A. He did for awhile—it was when the house was kept by Mrs. C. herself.
Q. When did he begin to take meals at the house? A. At the time she took tye house; he boarded with her then.
Q. Did Mrs. Cunningham take the house when Mrs. Jones left? A. Yes, Sir, she did.
Q. About how long did he take his meals? A. I cannot except say to that; to the best of my opinion two or three mooths.
Q. When did Mrs. Cunningham come into the third story to live? A. She kept the third story till she got the house cleaned.
Q. When did Mrs. Cunningham come into the third story to live? A. She kept the third story till she got the house cleaned.
Q. When did Mrs. Cunningham? A. Back room over the Doctor's room, third story.
Q. Were you at any time present at any quarrel between Dr. Burdell and Mrs. Cunningham? A. No. Sir. I never was present.
Q. Did you ever hear her say anything quarrelisome to the Doctor? A. Yes, Sir. I did; she would get agitated very often; have rough words; I cannot express the words they said; I paid no attention to it; cannot asywhat they said.
Q. Can you remmber any words that she said? A. Yes, Sir; when he vered her very much she said she would be reveated of him.
By the Court—On what occasion and under what circumstances did she say that to you? A. Well, she accused him of ladies very often—of keeping company with ladies.
Q. Where was she when she said this? A. Down in the basement; they lead been up stairs; they would sometimes have sharp words about ladies calling.
Q. The Friday afternoon before the Doctor was found killed, old Mrs. Cunningham have any conversation with you? A. Yes, Sir.
Q. What time in the afternoon? A. I cannot say whether it was about 4 o'clock; betwint that and 5 I think it was; there were ladies they taking the rooms.
Q. What was it she said? A. She came down and asked.

was about 4 o'clock; betwist that and 5 l think it was; there were ladies there taking the rooms.

Q. What was it she said! A. She came down and asked what these ladies were looking after; I was down in the kitchen; I told her they were looking in the dising-room, closets, and at the wash thus, then I said, "I believe they are about taking the house," she said to me perhaps he might not live to let the house or sign the paper either.

Q. Was anything cles said there? A. No, Sir.

Q. Where was this said! A. In the kitchen.

Q. Use any one with her? A. No, Sir, none but her and me.

Q. Did you see the Doctor that afternoon! A. Yes, Sir; he was down with these ladies about twelve minutes before that.

Q. Do vo know who these ladies were? A. No, Sir, I saw

C. Where only you got doesn't A. Yes, sir; as soon as I got ready I went up.

Q. What part of the attic did you sleep in? A. I sleept in the south side; i was a room boarded off by partitions.

Q. Was it it was a room boarded off by partitions.

Q. Was it it was a room boarded off by partitions.

Q. Was it it was the Broadway side or the Bowery side?

A. Near the Broadway side.

Q. Before you's of to sleep did any one come up stairs? A. Yes, sir; Mr. Snodgrass and Miss Elife Cunningham.

Q. What was the last you saw of Mr. Snodgrass before going to sleep? A. That was the last; I went to sleep then direct.

Q. Wat time did you get up the next morning! A. To the the best of my knowledge it was about 6 or 7 o'clock; came down with a lighted candle.

Q. Had you a clock in the kitchen? A. No, sir.

Q. Was there any other clock in the house at that time?

A. In Mrs. Cunningham's room at that time.

Q. Was there any other clock in the house at that time? A. No. Sir.

Q. Did you notice anything upon the floors or wall as you went down stairs? A. No. Sir.

Q. Where did he come from? A. He came in at the basement door.

Q. Where did he come from? A. He came in at the basement door.

Q. How long after you got down? A. I suppose it was about an hour; he came pretty early that morning, because, he said he had got a ride.

Q. How was the basement door? A. It was bolted and locked: I drew the bolts and let him in.

Q. Who was the mext person that came in the door that morning. A well, I went up and called at Mrs. Cunningham's door to come down, because breakfast was ready.

Q. Who was the mext person of the family you saw that morning? A. Well, I went up and called at Mrs. Cunningham's door to come down, because breakfast was ready.

Q. What did Mrs. Cunningham say then? A. She said is Mr. Eckel down at his breakfast? A lasthe diningroom; that was down at airs in the front basement.

Q. What did you say? A. I said, "No, ma'an; he was not down."

Q. What did you say? A. I said, "No, ma'an; he was not down."

Q. What did you sa

and Mrs. Cunningham came down together pretty much; Eckel was not at breakfast; they did not stay long.

Q. How long were they at breakfast? A. I did not pass any remark how long they were they did not stay long. I believe; I mean the two boys, the two daughters, Mrs. Cunningham and Snodgrass.

nodgrass. Q. After breakfast did you go up stairs again! A. No. Sir; Q. You did go up in consequence of what Johnny said? A. Yes, Sir. Q. What time was that? A. I think it was about 9 o'clock; I think it was about a half hour when the boy save me the re-

out.

Q. Where did you go then? A. I ran up stairs, and gave the boctor's door a rap—the door into the Boctor's office, the seond-story back room; gave the door a little shore; I looked within and saw the Boctor lying, and his arm serewed back be-

hind his back.

By a Juror—Q. Was the doer open! A. No. Sir; it was on a
rack: it was not quite open.

Q. It was unlocked? A. Yes, Sir; Johnny had been up bege I was there.

Q. You then went up into the front room? A. Yes. Sir.
Q. Had the family gone up after breakfast before this? A

Yes, Sir; all of them.

Q. Who did you see A. I saw Mrs. Cunningham and her we daughters, and Mr. Snodgrass.

Yes, Str; all of them.

Q. Who did you see? A. I saw Mrs. Cunningham and her two daughters, and Mr. Snodgrass.

Q. What was it you said? A. Mr. Snodgrass was playing on the banjo, and I said, "My God. you are enjoying yourselves all well, and the Doctor either dead or numdered in the room;" that was all I said? "and I repeated the word over again.

Q. Who spoke next? A. Mrs. Couningham asked, "What was that I said?" and I repeated the word over again.

Q. What next was said! A. Mrs. Couningham looked very much excited, and ran to the bed, and so did Miss Ellier, and fainted; then I went out and called Mr. Staples, next doer.

District Attorney-Saise all you saw in the room before you left—state exactly what you saw Mrs. Conningham do. A. I have told; she seemed very much excited, and ran over to the bed, and Miss Ellen fainted; and Mr. Snodgrass ran down stairs and came up and said; that's a fact, he is dead.

Q. You say Mrs. Cunningham went to the bed—what bed?

A. Hir own bed, in the front room.

Q. Did she say anything? A. Yes; she said that somebody came in and killed him, or something like that, and I ran out for the neighbors.

Q. Did she say anything? A. Yes; she said that somebody came in and killed him, or something like that, and I ran out for the neighbors.

Q. Did she say anything else? A. No, Sir; she seemed very much excited entirely; did not say much to any one at jibat time.

Q. Did any one clee beside Mrs. Cunningham and Spodgrass.

time.

Q. Did any one else beside: Mrs. Cunningham and Sundgrass
speak? A. No, they did not; and I ran down stairs and fetched

Q. Did any one clee beside Mrs. Cunningham and Snodgrass speak? A. No, they did not; and I rau down stairs and fetched up this gentlemen.

Q. How long were you in the room? A. I do not think! was in ever 15 minutes that time; this time I did not stay only till Mr. Snodgrass came up stairs again.

Q. Was Mr. Snodgrass down stairs a long time? A. He did not stay a minute: I staid till he came up and said it was a fact, he was dead.

Q. By Juror—Did you stay up stairs till he went down and came up again? A. Yes. Sir.

Q. Did you ever hear Mrs. Cunningham say anything about Dr. Burdell and Mr. Eckel; and if so, what was it?

Mr. Chinton objected to the question, and asked to have his exception noted.

A. I did; she said that the doctor was jealous with her and Mr. Eckel; and I said what was the reason of that; I thought she gave no reason, no occasion; well, says she, he is wich a man; he takes such thoughts in his head; and she told that the doctor said that he looked through the key-hole and saw that he did not like.

Q. Did she ever say anything clas about that? A. No. Sir.

Q. When was this? A. A little before he was murdered; about how long, I cam? say.

Q. How many servants were there in the house this Priday night? A. None at all but me. Sir.

Cross-examination.—Q. Were you first employed by Mrs. Jones or Dr. Burdell? A. First by Mrs. Jones.

Q. What time did you first go to that house? A. I think about a couple of mouths before Christmas a year ago past.

Q. Was the defendant there at that time? A. She was boarding then.

Q. Before you came? A. Yes, Sir; there was but one daugh-

Q. Was the derendant there at that time? A bearding them.
Q. Before you came? A Yes, Sir, there was but one daughter whan I went; there had been sometimes two.
Q. Were there any other boarders in the house at that time?
A. There was Mr. Betholemew. Mrs. Hubbard, Mr. Hart and his family and a considerable number of other bearders.
Q. In what capacity was you employed there? A. A cook, Sir.

Q. In what capacity was you comployed there.

Q. And during all the time you were in that house that was your business? A Yes Sir.

Q. When you first came to that house do you know what room Mrs. Burdell occupied? A. Yes, Sir, the back room in the attic; she didn't remain in it all Winter.

Q. Do you know how long she occupied that back room? A. I do not. I do not.

Q. Did she accupy that back room all the timethat Mrs. Jones remained in the house after you went there? A. She went in the room with Mrs. Hubbard or Mrs. Voorst.

Q. Who Mrs. Hubbard? A. I heard she got a directo from her husband, her busband's name was Voorst.

Q. When was it that she first occupied the room down stairs—was it when Mrs. Voorst came there?

The Wirness—Do you mean Mrs. Cunningham?

Mr. Clinton—Yes. A. She slept with Mrs. Voorst is the same room noth Mrs. Voorst went to the country, she told me that she hired that room from the Doctor.

Q. Do you know whether Mrs. Voorst began to sleep down there when Mrs. Burdell dat! A. I denot know enything about that except as I heard them say. I was not up stairs, I was into recommended the start of the start o

Q. Anothing very unusual. A. It was nothing unusual at all.
Q. Anything serious. A. She accused Dr. Burdell of having ladies some there and she said if he would keep them away she would be estified enough with the Doctor.
Q. That was the only fault she found? A. Yes. Sir.
Q. This was the only fault she found? A. Yes. Sir.
Q. His bringing indies there for improper purposes? A. Yes.
Sir. I believe that was the subject.
Q. Now, after this occasion, when the words were with reference to Mrs. Veorst coming back, did you hear any rough words or unpleasant words? A. Yes. Sir. I have.
Q. That is, between those two persons? A. Yes. Sir. I have.
Q. When? A. It was a little before he was killed; there were then a few rough words sound the signing of a paper.
Q. How long before he was killed? A. It was the Saturday night before.

Q. Did you tell her about this at that time? A. No. Sir. I did not.
Q. You did not tell it to Mrs. Stansbury? A. No. Sir.
Q. To whom did you first name it? A. I named it now.
Q. For the first time? A. Yes, Sir.—no. to Mrs. Foster first.
Q. Mrs. Foster the Matron of the City Prison? A. Yes, Sir.
Q. How recently did you name it to her? A. She asked me what passed at the time the house was let.
Q. When was this? A. It is within three or four days.
Q. That was the first time you mentioned it? A. Yes, Sir.
Q. Did you ever think of it before you told Mrs. Foster? A. I did, but not at the time? was in Court.
Q. Was, it after you were oxamined the first time that you had this conversation with Mrs. Stansbury? A. The second time; Sir.
Q. It was after you were examined the second time? A. Yes, Sir.
Q. Stansbury? A. The second stansbury? A. The second stansparent of the second time? A. Yes, Sir.

How was in a good terms.
Were they on good terms or not? A. They were somevery good together, and at other times they would have
words; that is all I know; I did not pry into their affairs

Q. Has any one except state this about the Doctor's saying he dight not live to sign the paper? A. No, Sir.
Q. Did you tell Mrs. Foster this about the Doctor's saying he might not live to sign the paper? A. No, Sir.
Q. Did you not state a few minutes ago that the first time on mentioned it was to Mrs. Foster, two or three weeks ago?

ir, she did not.
Q You did not swear that she did ask you? A. No. Sir; I ever swore she did; I said I told it to her myself.
Q. You know Mary Donoghoe? A. Yes, Sir.
Q. Do you recelled when Mary left? A. I think it was three are before the murde; two or three I do not know; it was to week on how.

hat week my how.

Q. Did she ever leave before that? A. Yes, Sir; she was gone way once all night, and then came back again.

Q. Did she ever go away before January? A. I cannot tell cately how long she went away; she went away sometimes no staid the night.

Q. Do you know anything about her having been discharged?

I did not; she was to come back that night at 10 o'clock.

principle of rolling you have made. The Court—Mary Dunahue is certainly not on trial, and unless I can be shown a reason for the question, I must exclude it.

Q. Were you with Dr. Burdfill and Mary Donahue about this time? A. The day after New Year's that occurred.

Q. What occurred? A. We were down in the cellar, all together. I not sliow it. What time did Mrs. Voorst come back | \ It was in the

all, I do not recollect the time.

The Court—Did she come to the house, Mrs. Voc. 1, I mean?
No. Sir, she did not.
Q. Mrs. Bordell would not allow her to come there? A. No. Sir.

Q. Ind you let people in when they came generally? A.

No. Sir.

O What occurred! A. We were down in the cellar, all together.

Q. What occurred there! A. I resign that question to Mary Donashue: I think she will he able to answer it for herself; I have nothing to do with Mary Donashue's business at all. The Court—I do not see the relevancy of that.

Judge Dean—The object is to show the relations that Dr. Burdell sustained to other parties in that house. The District Attempt said in his opening that somebody in that house committed the murder, and that the prosecution intended to show the motives that existed for the murder. If somebody in that house did it, we have a right to prove the relations existing between Dr. Burdell and the innustes of that house, and between him and every person to that house.

Mr. Hall—We make no objection to any of these questions; we are waiting for the time when Dr. Burdell's declaration shall be brought in.

Mr. Clinton—State what occurred in that cellar. A. There was nothing done but he came down to help me up stairs with Mary Donashue. No. Sir.

Q. Who did when the chambermaid was away? A. I do not think I answered the door six times in my life.

Q. Time or four days before the murder or homicide, was there any other servant in the house except yourself? A. The Doctor's boy.

Q. But any other servant of the family? A. No. Sir; no girl aut me. of me.

Q. The Friday before he was killed did you let any persons on that day? A. No. Sir. n on that day? A. No. Sir.
Q. Nor evening either? A. No. Sir.; Mrs. Cunningham's
title sons attended the door that evening.
Q. It was not your place to, and never was? A. No. Sir.
Q. Did you see Mrs. Voorsit here that day? A. No. Sir.; but

Mary Donaghue.
Q. Now I ask you whether Mary Donaghue and the Doctor,

Q. Now I are you whether Mary Dinkins at the total to your know whether they did or not.

Q. Or quarres I A. No, Sir; they never could have had; they might have had sharp words about cleaning or sweeping and raising a dust, but for anything eise I do not know.

Q. Hare you ever used any yourself, Hannah? A. No, Sir; not in that way. I may explain that Mrs. Cunningham has told me.

Q. Did you see Mrs. Voorst there that day? A. No. Sir; but I heard she was there.
Q. Did you not see her? A. No. Sir.
Q. Have you seen Mrs. Voorst there since she returned to the city? A. Yee, Sir. I have.
Q. Often? A. I saw her twice myself; I heard she was there often, but I did not see her.
Q. You say the Doctor began to take his meals there when Mr. Burdell first took the house? A. Yee, Sir.
Q. Did he take all his meals there? A. Yee, Sir.
The Court—His breakfast, dinner and tea? A. Yee, Sir.
Q. For how lons? A. It was about two months, to the best Q. For how lons? A. It was about two months, to the best Q. my opinion; I cannot say how long; Mrs. Burdell, herself, will tell you that; I don't wish to say anything I cannot sweets.

Q founded what it was about A. She said that he was

Q. You are certain you did not see him? A. No. Sir.
The Court-Did you see them conversing together? A. I
heard the view.

worder.

Q. What did she say when you a ted he: what that meant?

A. I told you I saked her what it was about, and she said she didn't want to have Mrs. Voorst come and board again in the house; he wanted to have her back, and she would not allow it.

not in that way. I may expend took tools me—Mr. Clinton—Nevermind that. Did Mrs. Burdell take care of the clothing of Dr. Burdell? A. Yes. Sir.

Q. Down! the time of his death? A. From the time he went there, she got his washing once. I did his washing; she strended to his clothes.

Q. Down! to the time of his death? A. Yes. Sir.

Q. Down! to the time of his death? A. Yes. Sir.

Q. Down! to the time of his death?

Q. As near as you can judge? A. It was about two months. Q. Had he ever eaten his meals there with Mr. Jones? A. Sever that I saw, I never saw him take dinner or tes there Q. You said you heard rough words between them? A. Yes, e herself. Q. Issked you if you looked at the clock? A. No. Sir, I did Q. When? A. I told you since Mrs. Voorst came back to the city there was some dispute between Mrs. Burdell and the Doctor.

Q. Where were you? A. I was in the hall.
Q. Where were they? A. They were up stairs: I went to
Mis. Cunningham and saked her what was the trouble, and she
said he wanted to fetch her back.
Q. Where were you? A. I was going up stairs in the hall;
he pushed Mrs. Cunningham out of his door into the hall.
Q. Which story was that? A. It was on his own floor—the
second story.

O. Did you see Mrs. Burdell that Friday evening? A. Yes, Sir. I did.

Q. Before she came down into the kitchen about 10 o'clock?

A. No, Sir. I do not think I did from the time she had her dinner or tea. That is to the best of my knowledge. (After hesistion.) Yes, Sir. exceed me I think I went to tell her that there was a girl down stears who wanted to engage with her, and see a sid she must deal the next day. to was a girl down starts who wanted to engage with her, and and she must call the next day?

Was the girl Mary McClencey? A. Yes, Sir.
Did you tell Mary to call the next day? A. Yes, Sir, she einto the kitchen herself.
She was coming as chambermaid? A. Yes, Sir.
When you went to Mrs. Cunningham's room about 10 sek, are you certain who were the persons present? A.

going to fetch her back, and she would not allow it.

Q. Where was Pr. Berdell? A. He was in his room.

Q. Then you dd not seen him? A. He shut the door when he pushed her oo!.

Q. When you first heard them talking did you see them? A. No. Sir, I did not, until I saw him coming out.

Q. Where was the Doctor when you saw her coming out?

A. He was in the room. Yes, Sir. Q. Mr. Eckel, Mrs. Burdell, her daughters and Mr. Suodgrass? A. Yes, Sir.

Q. What were they doing? A. I think Mr. Eckel was sitting in the rocking chair and Mr. Snodgrass was sitting at the table, I think writing or something.

Q. Was that used as a sitting room for the family? A. Yes, Q. Where was the Doctor

A. He was in he room.

Q. Inside the door! A. Ter, Sir.

Q. In which hell were you at this time! A. I was in the hall in which they were, going up stairs.

Q. Did yes see him touch her! A. I did not see him touch her; she said be pushed her out, and he then shut the door.

Q. Did you see him shut the door at all as the door closed!

A. No, Sr, Mrs. Cunningham told that it was that which was the cause.

Q. Was that used as a sitting room for the family? A. Les,
Q. Occasionally they would all sit down there before they
wentro bed? A. Yes, Sir.
Q. All of them? A. Yes, Sir.
Q. How long do you think you were in the room?
The Winness—That night?
Mr. Clinton—Yes, in the third-story front room. A. Not
many minutes; I went to ask the ladies what they would have
for breakfast, and I then went to bed.
Q. Where were the little boys as the time you were in Mrs.
Buddell's room? A. They were in bed.
Q. How do you know? A. I was talking to them; little
George went down and passed some remarks that I was intoxicated, and his mother told him to go to bed; Mr. Snodgrass told
me that.

heard the noise.

Question repeated—A. No. Bir, I heard the maise, and I asked Mrs. Cunningham.

Q. Then you didn't hear anothing said between them? A.

No. Sir, I heard loud talking.

The Court—Did you hear both of their voices I A. Yee. Sir, I did. I did.

Q. You saked her what it was about? A. Yes, Sir.
Q. Did you reprove her? A. No. Sir. I did not; I thought it
was not my business.
Q. When was this? A. It was in the Fall of the year.
Q. Last Fall? A. When she wanted to come back to the
house. me that.

Q. Mr. Snodgrass told you that? A. Yes, Sir.

Q. Did you so into their room? A. No, Sir.

Q. How did you see them in bed, then? A. They talked out to me from the bedroom.

Q. There was not an open partition? A. No, Sir, there was Question repeated—A. Yes, Sir, it was.
Question repeated—A. Yes, Sir, it was.
Q. Can you tell about what time! A. I cannot.
Q. Is that the only occasion to which you alluded when you said you heard nearly owneds! A. Yes, Sir,
Q. Are those the only rough words you heard! A. At that time; they had rough words again after that and before the burder. Q. You do not know they were in bed? A. Yes Sir they

went down stairs in his night clothes.

Q. Did you see him after that? A. No. Sir.
The Court—Did Snodgrass occupy the same bed with them?
A. Yee, Sir.
Q. You beard the boy go down stairs, and that was the last you heard of them? A. Yee, Sir. I heard them talking with Mr. Snodgrass afterward.

Q. Quite so, was if not? A. Yes, Sir; they were sociable enough.
Q. Very kind? A. Very kind.
Q. How did she address him? A. She always called him Doctor.
Q. Did you ever hear her speak to him by the name of Harvey? A. Yes, Sir; I did.
The Court—To him or of him? A. To him.
Q. How long before daylight was it before you got up? A. It was between S and 7 eclock; it was accreely clear at that season of the year; we did not eat breakfast until about 8 of clock.
Q. You came down to get breakfast? A. Yes, Sir.
Q. Ahout what time did you go up to call Mrs. Bardell to breakfast? A. Just as soon as I had it ready.
Q. Ahout what time was it? A. About 5 o'clock.
Q. Did you generally call her to breakfast? A. No, Sir; I had not been in the babit of doing it, but the other girl was away.

Q. Was John Burchell the first one you met the next moraing at the basement deer? A. Yes, Sir, it was.
Q. What time was that? A. I think it was near 8 o'clock;
he came pretty early that morning.
Q. Had you been up stairs from the time you went down in
the morning with the light until you went to call Mrs. Burdell
to breakfast? A. No. Sir; I had not been up stairs at all until 1
went to call her.
Q. About what time do you think it was when you let Burdell
in? A. I think it was not quite 8 o'clock that morning.
Q. Was it before or after breakfast? A. It was before, Sir.
Q. How long after you let him in was it before he came down
sain! A. We had breakfast all over.
Q. How long was it from the time you met him before he
came down stairs from the Doctor's room? A. I do not know
how long; he didn't fetch me any word about the Doctor's
death until near 9 o'clock.
The Court—What is Burchell's age?
Mr. Cinton—Sixteen or seventeen years, by his looks.
Q. Do you know anything about the Doctor's habit of going
to the door when the hell rung? A. Yes, Sir, he often anwered the beil himself.

Clinton—Yes, Sir. ror—I understand you to say that Mr. Eckel did not take

A second Juror-Had there was no reason for your having

to the Doctor being jealous of Eckel? A. It is not very long ago, but the time I cannot tell.

Q. About how long be fore the death of Dr. Burdell? A. It was not very long be fore.

Q. About how long? A. I cannot tell.

Q. Can you tell within six, three or one month? A. Yes, Sir. it was one month, at least.

Q. Where did this conversation occur? A. With me and Mrs. Cunningbarn.

Q. Where? A. Down in the kitchen.

Q. Do you recoliect anything clse stated at that conversation? A. Yes, Sir. I do; she said that the Doctor was verzed; I asked her what it was about; she told me.

Q. She said first that he was vezzed? A. Yes, Sir.

Q. That was the way the subject was broached? A. Yes, Sir. I to it is the way that the subject came around.

Q. Was it in the daytime or in the evening? A. It was the

A. She told you he was jealous of Eckel? A. Yea Sir.
Q. What did you say? A. I said I did not think she goes im any occasion.

Q. What did she say? A. She gave a smile or laugh, but did not say anything; she said she didn't care much what he raid in such foolish talk as that.

Q. Did she say anything else except that he was jealous, and that she didn't care snything about such foolish talk? A. That

that she didn't care anything about such foolian talk? A. Tast is all.
Q. You said you did not think he had occasion? A. That is all.
Q. Was any one else present? A. No. Sir, nobody else.
Q. Was the Doctor down in the kitchen much? A. Yes, Sir, he would be there beckward and forward.
Q. For the last menth or two before his death? A. Yes, Sir, he would come in occasionally if he wanted anything done—for water or snything else.
Q. Did he come down often? A. Yes, Sir, presty often.
Q. Did he pay much attention to what was going on? A. Yes, Sir.
Q. What did he do? A. There was a great lot of mice in the closet, and he set a trop to catch them, and he came down once a day to see if there were any caught.

Q. What did he do? A. There was a great lot of mice in the closest, and he set a trap to catch them, and he came down once a day to see if there were any caught.

Q. On the Friday before the Doctor was killed, did you see the control of him? A. I saw him at night that evening.

Q. Is that the only time you saw him that day? A. I have seen him when he would go into the wast.

Q. What time way you last gas him? A. To the best of the same wiedge, before he went to dine that day?

Q. Wast id dark? A. It was not quite dark.

Q. Where was he when you last saw him? A. He came down stairs and told me that if a tail gratheman came, to tell him—Mr. Clinton—Never mind that. Where was he? A. He was on the kitchen stairs taking to me before he went out to dine.

Q. Did Dr. Burdell use to attend to matters of the house down to the time of his death? A. No, Sir; Mrs. Cunningham attended to them.

Q. Did he have anything to do with the gab bills or other matters about the house? A. I do not know about the gas bills r matters like that.

Q. Would he cover up the dishes down stairs? A. Yes, Sir, to see the mice out of the victuals.

Q. That was done to the time of his death? A. Yes, Sir, to see the house of the latter of the house is the before his death.

Q. Bid he have anything to do about the bread and victuals in the kitchen? A. No, Sir, not that I know of; he said it was Mr. Clinton—I didn't ask what he said, but what he did. Did

the kitchen? A. No. Sir. not that I know of; he said it was not—
Mr. Clinton—I didn't ask what he said, but what he did. Did he do anything about it?

Mr. Cimton—I didn't ask what he said, but what he did. Did he do anything about it?

The witness—The bread?

Mr. Cimton—Yee, and about matters in the kitchen? A. He said that bread ought not to be lying there in the way of the mice to ron over it.

Q. Did Mrs. Burdell ever tell you in relation to the Doctor not to contradict or dispute with him, no matter what he said?

A. Yes, she did.

Q. She told you always to treat him kindly and let him have his own way? A. Yes, Sir, she did.

Q. She told you always to treat him kindly and let him have his own way? A. Yes, Sir, she did.

Q. Is your husband living? A. He is five years dead—four years the 16th of October fast.

Q. Have you been ound take my share, rich or poor; I never Not much; I always emy shoulder [Lamahter]. Here with liquor over my shoulder [Lamahter]. The Court—Never (that nature.

Q. Have you ever mind that I don't see the necessity of pressing questions with tree that the pressing questions for any trime? A. Not to my knowledge, Sir.

Q. Have you ever been charged with having anything to do the result of the sixth Ward Station-House and find out my character end my husband?s.

Q. At the time that you and Mary Doneshue were at Capt.

The Court—You can only ask with reference to the witness

The Court -- You can only sak with reference to the witness

herself. [Question repeated to the witness]. A. No complaint was